Filed 11/08/2006

Liebler, Ivey, Conner, Berry & St. Hilaire By: Floyd E. Ivey 1141 N. Edison, Suite C P.O. Box 6125 Kennewick, WA 99336 Local Counsel for Defendants Impulse Marketing Group, Inc., Jeffrey Goldstein and Kerneth Adamson Hon. Fred Van Sickle 1 4 Klein, Zelman, Rothermel & Dichter, L.L.P. By: Sean A. Moynihan & Peter J. Glantz 485 Madison Avenue, 15<sup>th</sup> Floor New York, NY 10022 (212) 935-6020 6 Attorneys for Defendant Impulse Marketing Group, Inc., Jeffrey Goldstein and Kenneth Adamson 8 10 IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF WASHINGTON AT RICHLAND 11 12 13 James S. Gordon, Jr., Case No.: CV-04-5125-FVS Plaintiff, 14 NOTICE OF HEARING 15 v. Date: December 4, 2006 Impulse Marketing Group, Inc., Jeffrey Goldstein, Phillip Huston, and Kenneth Adamson, 16 WITHOUT ORAL ARGUMENT 17 Defendants. 18 19 Impulse Marketing Group, Inc., 20 Third-Party Plaintiff, 21 v. 22 Bonnie F. Gordon, Jamila Gordon, James Gordon, III, and Jonathan 23 Gordon, Third-Party Defendants. 24 25 PLEASE TAKE NOTICE that the Defendants' Motion for Sanctions Pursuant 26 to Fed R. Civ. P. 11 is to be heard on December 11, 2006, or as soon thereafter as the 27 28 NOTICE OF HEARING OF DEFENDANTS' KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P. MOTION FOR SANCTIONS - 1 485 MADISON AVENUE, 15<sup>TH</sup> FLOOR NEW YORK, NEW YORK 10022 00080586;1 (212) 935-6020

Court deems appropriate. 1 DATED this 8<sup>th</sup> day of November, 2006. 2 3 KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P. 4 5 6 By: Sear A. Moyrihan, admitted pro hac rice Peter J. Gantz, admitted pro hac rice Attorneys for Defendants Impulse Marketing Group, Inc., Jeffrey Goldstein and Kenneth 8 9 Adamson 10 LIEBLER, CONNOR, IVEY, BERRY & ST. HILAIRE 11 12 13 cal Counsel for Defendants Impulse Marketing Group, Inc., Jeffrey Goldstein and Kenneth Adamson 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P. NOTICE OF HEARING OF DEFENDANTS' 485 MADISON AVENUE, 15<sup>TH</sup> FLOOR MOTION FOR SANCTIONS - 2 NEW YORK, NEW YORK 10022

(212) 935-6020

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Sean A. Adoynihan, admitted pro hac rice Attorneys for Defendants Impulse Marketing Group, Inc., Jeffrey Goldstein and Kenneth Adamson

## Certificate of Service

I, hereby, certify that on November 8, 2006, I electronically filed this pleading with this Court. The Clerk of the Court will provide electronic notification using the CM/ECF system, which will send an electronic copy of the Notice of Hearing of Defendants' Motion for Sanctions to: Robert J. Siegel and Floyd Ivey. I hereby certify that I have served the forgoing to the following non-CM/ECF participants by other means: Bonnie Gordon; Jonathan Gordon; James S. Gordon, III; Robert Pritchett; Jamila Gordon; Emily Abbey and Hon. Harold D. Clarke, Jr.

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NOTICE OF HEARING OF DEFENDANTS' **MOTION FOR SANCTIONS - 3** 

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KLEIN, ZELMAN, ROTHERMEL & DICHTER, L.L.P. 485 MADISON AVENUE, 15<sup>TH</sup> FLOOR NEW YORK, NEW YORK 10022 (212) 935-6020